

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
Plaintiff,)

v.)

\$78,990 IN U.S. CURRENCY,)
Defendant.)

MAGISTRATE JUDGE Dina

Civil Action No.

04-10696 RCL

VERIFIED COMPLAINT FOR FORFEITURE IN REM

The United States of America, by its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, in a civil action of forfeiture pursuant to Title 21, United States Code, Section 881(a)(6), alleges that:

1. This Court has jurisdiction in this matter pursuant to 28 U.S.C. §§ 1345, 1355, and 1356. Venue is appropriate pursuant to 28 U.S.C. § 1395.

2. The in Rem Defendant Currency is now, and, during the pendency of this action, will be within the jurisdiction of this Court.

3. The Defendant Currency consists of \$78,990 in United States currency, seized from Jose Jaramillo and Peter Kiseskey on July 25, 2003, at Methuen, Massachusetts (the "Defendant Currency").

4. As detailed in the Affidavit of United States Drug Enforcement Administration Special Agent Michael O'Shaughnessy, attached hereto as Exhibit A, and incorporated herein by reference, the United States has probable cause to believe that the Defendant Currency represents moneys, negotiable instruments,

securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of the Controlled Substance Act, Title 21, United States Code, Sections 801 et seq., proceeds traceable to such an exchange, and/or moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of the Act.

5. The Defendant Currency is, therefore, subject to seizure and forfeiture to the United States of America, pursuant to 21 U.S.C. §§ 881(a)(6) and (b).

WHEREFORE, the United States of America prays:

1. That a warrant and monition, in the form submitted herewith, be issued to the United States Marshal for the District of Massachusetts commanding him to: (a) seize the Defendant Currency; and (b) give notice to all interested parties to appear and show cause why the forfeiture should not be decreed;

2. That judgment of forfeiture be decreed against the Defendant Currency;

3. That thereafter, the Defendant Currency be disposed of according to law; and

4. For costs and all other relief to which the United States may be entitled.

Respectfully submitted,
MICHAEL J. SULLIVAN
United States Attorney

By: *Shelbey D. Wright*
SHELBEY D. WRIGHT
Assistant U.S. Attorney
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3100

Dated: April 5, 2004

VERIFICATION

I, Special Agent Michael O'Shaughnessy, United States Drug Enforcement Administration, state that I have read the foregoing Verified Complaint for Forfeiture in Rem and the Affidavit, attached as Exhibit A, and that the contents thereof are true to the best of my knowledge, information and belief.

Michael O'Shaughnessy
Special Agent Michael O'Shaughnessy
United States Drug Enforcement
Administration

Dated: April 5th, 2004

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

Boston

Then personally appeared before me the above-named Special Agent Michael O'Shaughnessy of the United States Drug Enforcement Administration, who acknowledged the foregoing to be true to the best of his knowledge, information and belief, on behalf of the United States of America.

Subscribed to and sworn to before me this 5th day of April, 2004.

Lisa J. Talbot
Notary Public
My commission expires: 5/29/09